

Talbot Indentures - indentures relating to the sites of York House and The Talbot Hotel, Malton held at NYCRO, and associated individuals.



1599.

“This indenture made ye nine and twentieth day of November in the yeare of the Lord God one thousand nine hundred, four score and nineteen, between Gabriell Archer and William Yoward of London, Gent on the one parte and John Mansfield of the Inner Temple London, Esquire on the other part.

Witnesseth that the said Gabriell Archer and William Yoward for and in consideracion of a certane sum of money to them in hand paid before the insealing and deliverance of these presents (are) themselves fully satisfied, contented and paid and thereof have bargained, sould and by these partes for them and their heires do give, grante, bargaine and sell to the said John Mansfield, his heirs and assigns all that dwelling house now in the tenure of one Thomas Pratt in or neere

unto the towne of New Malton in the county of York and all those barnes or lathes there, and against one messuage or tenement in tenure of the said John Mansfield and now in building and certayne lathes or barns thereunto belonging and all that peece of ground walled in, called the Lathegarth and all the premises (which were) sometime in tenure of one William Yoward deceased and are called High Pittes and wastes and the heigh-waie adjoining to the same, together with all other houses, edifices, buildings, grounds, waies, easements, profits, commodities, hereditments and emoluments to the premises or any of them belonging or appertaining or commonly reputed, arrrompted or taken as the peece or member thereof or heretofore occupied or enjoyed, and all rent and securitie due or to bee due for the premises or any of them, to have and to hold the same dwelling house, lathes, barns and all and singular the demises to the said John Mansfield, his heirs and assignes forever.”

John Mansfield was married to Anne Eure, daughter of Ralph Eure, being resident in both London and Hutton-on-Derwent (Huttons Ambo).

Mansfield’s father was a minor country gentleman who married a sister of the 2nd Lord Eure, Lord of the manor of Malton and a prominent member of the Council of the North. Mansfield himself became associated with the lord president of the council, the 3rd Earl of Huntingdon, being variously described as his servant or deputy and acting for him, for example, in disputes with the Mountjoys over copper and alum mines in Dorset. It was obviously these powerful figures who obtained Mansfield his parliamentary seat at Beverley in 1593.

He was also Queen’s Surveyor in the North Riding and was responsible for the Survey of the Manor of Settrington, carried out in 1599–1600. This very detailed document survives and remains a key source of information in all studies of vernacular architecture and agricultural economy of the period (King and Harris YAS Record Series Vol CXXVI 1960).

Described as of London in 1582, when he was still in Huntingdon’s service, Mansfield had settled at Huttons Ambo (Hutton-in-Derwent) by 1588. (The History of Parliament:the House of Commons 1558–1603, ed. P.W. Hasler, 1981).

His daughter Elizabeth was an early settler in Boston, Massachusetts, arriving there with her husband, the Reverend John Wilson, in 1630. Her elder brother and the

eldest son of John Mansfield, also John, himself settled in Massachusetts in 1635. Both of them died in New England.

Lord Ralph Eure had been a founding shareholder in the Virginia Company of London, granted its first charter by James I in 1606, consenting to the ambition of a group of merchants and wealthy gentry to establish a colony in North America, with further charters in 1609 and 1612. The joint stock company was formally established in a founding charter of 23<sup>rd</sup> May, 1609.

“Whereas, at the humble suite and request of sondrie oure lovinge and well disposed subjects intendinge to deduce a colonie and to make habitacion and plantacion of sondrie of oure people in that parte of America comonlie called Virginia, and other part and territories in America either apperteyninge unto us or which are not actually possessed of anie Christian prince or people within certaine bound and regions, wee have formerly, by oure lettres patents bearinge date the tenth of Aprill in the fourth yeare of oure raigne of England, Fraunce, and Ireland, and the nine and thirtieth of Scotland, graunted to Sir Thomas Gates, Sir George Somers and others, for the more speedie accomplishment of the said plantacion and habitacion, that they shoulde devide themselves into twoe colloniesthe one consistinge of divers Knights, gentlemen, merchaunts and others of our cittie of London, called the First Collonie; and the other of sondrie Knights, gentlemen and others of the citties of Bristoll, Exeter, the towne of Plymouth, and other places, called the Second Collonieand have yielded and graunted maine and sondrie priviledges and liberties to each Collonie for their quiet setlinge and good government therein, as by the said lettres patents more at large appeareth.”

Near the top of the list of investors is ‘Raphe, Lord Ewer’. Somewhat further down the list is one Gabriell Archer.

The house that was to become the Talbot Hotel some 150 years after its sale to John Mansfield was sold by Gabriell Archer and William Yoward. Though described as a gentleman from London, Yoward would seem to have been the son of Robert Yoward of Stokesley who had been Lord Eure’s bailiff thereabouts. Lord of the manor of Norton, Thomas Hebbletwaite’s daughter Anne would marry Ralph Yoward of Westerdale, near Stokesley in the 1630s.

Gabriell Archer was not simply a shareholder in the settlement of Virginia, but one of its original settlers. He had travelled with Captain Bartholomew Gosnold to

explore and prospect along the Virginia coastline in 1602, writing the most admired account of this pioneering voyage, which had ended with a landing at the site that was to become Jamestown. He was wounded by native Americans at the moment of first landing, one of the two first Europeans to be so attacked. Initially an ally of John Smith, he later became his adversary, but was intimately involved in the development of the colony. Quite why he was a joint owner of a house in Malton is perhaps mysterious. Hailing from Essex, he studied at St John's College Cambridge (as did John Mansfield), and became a lawyer at Greys Inn. Mansfield was similarly a lawyer, as William Yoward may also have been. The most significant common factor, however, would seem to Ralph Eure, lord of the manor of Old and New Malton. Archer, Mansfield and Ralph Eure were all alumni of St John's College, Cambridge and all went on to Grays Inn, London. It is quite probable that William Yoward followed a similar path.

These years may be seen to have been the zenith of the Eure family's fortunes. Ralph, 2<sup>nd</sup> Lord Eure, enriched by the primitive capital accumulation of his father and grandfather in their capacities as Lords of the Middle Marches, who had used their positions to ruthlessly plunder the lands of the Scottish Borders earlier in the century, he began construction in this same year, 1599, of a splendid Prodigy House on the site of the medieval castle of Malton. This had 37 hearths and was compared in grandeur by contemporaries to Temple Newsam and Audley End. Only two houses in the North Riding – Cholmley's at Whitby Abbey, and the Viscount Fauconberg's at Newbrough Priory had more hearths, 39 and 38 respectively, whilst Howsham Hall had 24 and Ganton only 13 (Rushton 2003 235). As evidenced by its surviving gatehouse, Eure's mansion displayed an uncommon early appreciation of the subtleties of renaissance architecture, borne of the young Ralph's travels in France, Italy and Germany during 1582–3. He was later to be Ambassador of the Court of Elizabeth I to Denmark, and began the grand project in Malton after an unsuccessful term as Warden of the Middle March. He was a member of the Council of the North from 1594 until his death. Between 1607 and 1617, Eure held the office of Lord President of Wales, a 'vice-regal' position (Rushton 2003 205). Retaining his grand house in Malton, he sold the Elizabethan house at Ingleby Greenhow in 1608. Both he and his wife are buried in Ludlow.

(see [www.maltonbuildingsgroup.com/history/Malton](http://www.maltonbuildingsgroup.com/history/Malton)).

Within 30 years, the Eures were to hold all of the manor of New and Old Malton, which had previously been held in third parts by themselves, the de Cliffords and the Conyers. Notably, Ralph Eure's son, Lord William Eure (who was to be killed at the battle of Marston Moor in 1643, precipitating the terminal eclipse of the family during the following half century), emparked Easthorpe between 1617 and 1620 (Rushton 2003 206), indicating that this same came into Strickland ownership – like York House – with the marriage of the 3<sup>rd</sup> baronet to Elizabeth Palmes in 1684. Easthorpe would form part of the Wentworth purchase of Strickland's Malton Estate in 1739 (see below). The Stricklands had owned the neighbouring Hildenley Estate since 1545 and both Hildenley Hall (demolished in 1909) and the larger and superficially Palladian Easthorpe Hall (burned and demolished circa 1982) were constructed of Hildenley limestone from the Strickland quarries.

The early exchanges of the 'mansion' at the west end of Yorkersgate, therefore, would seem to be entwined with Eure influence and ascendancy in Malton. Current evidence would seem to be that York House, another 'mansion' to the E of the Talbot Hotel, was acquired by Sir William Strickland in 1684, upon his marriage to Eure heiress, Elizabeth Palmes. He had owned the 'great mansion' and the site of the Talbot Yard across Yorkersgate from it, since 1672, as well as, at the same time acquiring adjoining property belonging to Elizabeth Palmes, and 1684 began the intimate association of the sites of both York House and the Talbot Hotel which continues to this day.

In between times, the mansion was yet to pass through the hands of other important families and landowners of the Malton area, and particularly of the Wolds, from whence the Stricklands themselves also hailed. York House, too: "Thomas Heselton, owner of five Malton burgages had a mansion called York House just inside the wall of that town by 1641" (Rushton 2003 206), though Rushton gives no source and the house almost certainly belonged to the Eures.

Between 1599 and 1626, there is a hiatus in the indentures. Mansfield died in 1601. Notably, the 1599 Indenture records that the adjoining messuage was already in his occupation at the time he purchased the house on the Talbot site, and that a house on this site was 'now in building'. This new building could well be on the site of 43 Yorkersgate. This plot is more typically described as a 'close' in later indentures, however, and is specifically leased by Strickland from Wentworth in 1721.

It *may more likely* be York House that is 'in building' – which would be to say, undergoing significant alteration. There is a phase of major alteration evident within the fabric of York House that has been interpreted to have occurred around this time – the building was raised in height; a large brick fireplace was introduced into the E range, with 4-centred arch (Durham university dated the manufacture of its bricks to circa 1570); wide joinery window frames in the W end wall were displaced by narrower stone-lintelled windows which by the time of the 1662– 1673 hearth tax returns had themselves been blocked to create fireplaces within their reveals. A new stone floor and a new stair were introduced into the hall, with a fully wainscoted great chamber created above the hall and at the head of the stair, their style consistent with the early 17thC, and perhaps now identifiable as associated with major changes in progress in 1599. A 'working date' for these changes has previously been 1620. Mansfield was very clearly associated with Lord Eure and had enjoyed some considerable success under his patronage and that of the Hastings family of Slingsby and Allerston in their guise as Earls of Huntingdon, and the message is described as being in his occupation, not necessarily at all in his ownership, at this time. Around 1640, according to John Rushton, Thomas Heselton is resident in York House, as well as being owner of several burgage plots and houses in the town.

In 1625, in an indenture in Latin, William Hungate grants the house on the site of the Talbot to Thomas Hebblethwaite. It is in the occupation of 'George Hird de Nova Malton'.

In 1626, Sir Robert Bower, baronet, 'hath covenanted and granted and by these presents doth covenant and grant to Thomas Hebblethwaite Esq (later Sir Thomas), lord of the manor of Norton as well as to William Hungate 'the message, lande or tenement which of late did belong to the said William Hungate'. This may refer not to the larger house, but to the adjoining building in construction in 1599 and owned or at least occupied by John Mansfield at the time. This may be York House. It may be the surrender of a lease by Bower.

In 1637:

Thomas Hebblethwaite of Norton and Mary his wife on the one part and John Legard of New Malton on the other "for and in consideracion of the annual or yearly rent herein and hereafter referred...all that their message, mansion or dwelling house in

New Malton aforesaid in a street there called Yorkegate, and all that close of meadow or pasture thereunto adjoining containing by estimacion two acres, be(ing) the same more or less, (these) said premises were sometime in the tenure or occupacion of one John Mansfield...and are now in the tenure or occupacion of the said John Legard or his assigns, together with all and singular the houses, edifices, buildings, barns and stables, ways, easements, profits, comodities, emoluments and advantages...to the same belonging or in any wise appertaining. To have and to hold the said messuage, mansion or dwelling house and all singular the ? demised premises and of every of their appurtenances to the said John Legard, until the full ending of one and twenty years...(who shall be responsible for) all manner of necessary and needful reparations, timber only excepted...and all that close of meadow or pasture thereunto adjoining.”

The annual rent was £11.

The John Legard in question is John Legard of Ganton Hall and son of the builder of the same, also John:

“John Legard was eleven at his father’s death in 1589. Only when he reached maturity in 1597–8 did Lord Burghley, as Surveyor of the Court of Wards and Liveries transfer the Ganton Estate to the boy. The next year he married Elizabeth daughter of William Mallory of Studley, by whom he had six sons and three daughters.” (Rushton J 2008 45)

“John Legard [the elder] bought the manor of Ganton from the younger Marmaduke Lacey. A survey of 1585 recorded his ‘new builded’ manor house, with walls of chalk stone and a slate roof. The farm buildings included a long barn of timber forks (*crucks*) containing eight rooms, meaning eight bays. The west side of the courtyard was a long house containing a stable and a beast house, a hay house with a little chamber over a stable for poultry to set in, and one little roost joining the hay house, containing a stable, two little storehouses and another stable for plough horses, with a chamber and two storehouses over. A new house built for a kiln contained four rooms. A stone dove house was covered with slate. There was a garden, an orchard, two closes, a coney garth, a windmill on the east side of the village and the desmesne was sixteen oxgangs of land.” (Rushton 2008 120–121).

John Legard (the younger)’s sister married Richard Cholmley, later Sir Richard, the ‘Black Knight of the North’ at the end of the 16thC. (ibid 50).

A small note of 1643 is 'dated under my hand this 14<sup>th</sup> July 19<sup>th</sup> Charles Regis' by Thomas Hebblethwayte and reads thus:

"Know all men by these (words) that I Thomas Hebblethwayte of Norton Esq have authorised and in my place put my trusted and well-beloved friend William Hungate of New Malton, gent, my true and lawful ? for me, on my name and to my wife, to demand at or in the house of John Legard of Malton Esq. Late deceased, the rent of £6 6s due and payable by the said John Legard or his assigns at the Feast of St John Baptist commonly called mid-summer day...and for default of payment to be lawful for him the said Wiliam Hungate in my name and to my wife to re-enter into the said house with the appurtenances and in and to any part or parcel thereof, and the possession thereof to retain, hold and keep for me and to my wife..."

John Legard had been 'killed in Parliament's service' (Binns 2007) in the same year and Hebblethwayte's allegiance to the Royalist cause may have set the tone of the above. Legard's son and heir had been born in 1631, and was therefore no more than 12 at this time. He actively supported the restoration of Charles II in 1660 and became first baronet as a result.

Another hiatus in the indentures exists after this repossession of the house in 1643, but by the time of the next indenture, in 1672, Thomas Langley of North Grimston is the occupier of the Hebblethwaite mansion. He is listed as being resident in the first hearth tax record in 1662, whilst one John Nary is listed as resident in a house of similar size in Yorkersgate, almost certainly York House. Nary was the Irish husband of one of Hebblethwaite's daughters. He was one of the Commissioners for the Enclosure of Farmanby and Thornton, of which John Hill was Lord of the Manor and lessee of Dean and Canons of St Georges Chapel Windsor Castle lands in Farmanby, in 1671.

The lease of 1672 is between Sir George Marwood, baronet (father of the late Sir Thomas's wife), Henry Marwood, Esq (who was the High Sherriff of Yorkshire who ordered the wholesale dismemberment of Eure's great house in 1674), William Metcalfe Esq, Barbara Hebblethwaite, 'widdow and relict of Sir Thomas Hebblethwaite, late of Norton, knight and baronet' and James Hebblethwaite of Norton Esq 'and heir of the said Sir Thomas' of the one part and Sir William Strickland of Boynton, knight and baronet, of the other part.



It begins by detailing a Parliamentary Act which had enabled Sir Thomas 'to settle, sell or otherwise dispose of a manor and several lands and hereditaments in the County of York for payment of his debts' and to make provision for his children.

These were "the manor of Weaverthorpe and several farmes, freeholds, lands and tenements in the several townships of Cowlam, West Burrow, Burythorpe, Helperthorpe, New Malton, Scampston, Thorpe Basset, Acklam, Birdsall, Thornethorpe...Scagglethorpe and Bottleburne, all of which had been 'by deed and fine settled to the said Sir Thomas for the term of his life' and after his for the term of his wife's and then to the life of their 'first sonne to be begotten on the body of the said same Barbara' and then to the 'heires males of the body of such first sonne with remainders...to the second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sonnes of the said Sir Thomas' each inheriting one after another and after the life of Sir George Marwood, William Marwood, gent, his brother, Ralph Lutton and Richard Yoward Esq (sons in law) for twenty years in trust for raising portions for the line female of the said Sir Thomas. The manors of Norton and lands in Welham and Sutton are mentioned then also. All of this had been set out in Hebblethwaite's will of 1668, of which the Marwoods and Metcalfe were executors.

In return for £152 10s paid by Strickland, these executors

"have granted, bargained and sold, aliened, enfeofed, released and confirmed and by these presents do grant, bargain, sell, alien, enfeof, release and confirm" for one year

"that messuage, burgage or tenement wherein Thomas Langley, gent now dwells, situate, lying and being in New Malton aforesaid, at or near the west end of a street there called Yorkhousegate, and all that little close or parcel of ground with the appurtenances thereunto belonging and adjoining and near adjoining the said messuage, burgage, tenement and therewith usually occupied and enjoyed. (*This being the parcel between the mansion and York House, being behind 43 Yorkersgate, almost certainly*). All which premises are situate, lying and being in New Malton aforesaid, Malton and Old Malton and the parish of Malton or some of them within the township, lordship, liberties...or territories of them or some of them and now in the tenure or occupation of the said Thomas Langley, together with all houses, edifices, buildings, barns, stables, outhouses, common and common of pasture and turbary, hedges and hedgerows, ways, easements, garthes, gardens and profits, commodities, hereditments and appurtenances whatsoever to

the said premises beforementioned or any part or parcel thereof belonging...and all the estate right tythe interest.”

“to have and to hold the said messuage, burgage or tenement, close and premises before mentioned and hereby granted or intended to be granted and every parte and parcel thereof with their and every of their appurtenances unto the said Sir William Strickland, his heires and assigns against him, the said James Hebblethwaite, his heires and assigns and all and every other person and persons lawfully claiming the said premises or any parte thereof...”

The deal to be made final when James Hebblethwaite attained 21 years of age, seven years later.

The indenture carries the seals of George and Henry Marwood and of James Hebblethwaite and was witnessed by Thomas Langley, William Palmes, Christopher Percehay and Joshua Heselton.

The house was to remain in Strickland hands, along with York House and Easthorpe Hall and a number of other properties in Malton, until 1739, when the late 4<sup>th</sup> Baronet's Malton Estate was sold by executors of his estates to Thomas Wentworth. Wentworth had begun to accumulate property in Malton after 1713, when he purchased the Eure manor of Old Malton from William Palmes and Mary Eure. After 1718, he had begun to purchase individual properties from the Stricklands. He had acquired lands adjacent to the sites of York House and the Talbot Hotel in 1713, these lands being of the manor of Old Malton, to the N and W of New Malton, as well as around Old Malton itself. The property which is the subject of these indentures was itself unusual for extending both sides of the medieval town wall and borough boundary, but this may have been due only to the combination of two messuages either side of the wall – the close behind 43 Yorkersgate having been appended to the earlier messuage originally without the town wall from an early date.

In 1715, Strickland leased lands to the W of the site from James Hebblethwaite, ('one messuage, burgage house or tenement situate and being in the territories of Old Malton and near New Malton in a certain streete there called Yorkasgate, garths on the East thereof and which were in the occupation of Stephen Leitsko (??), gent.')

at the same time as leasing the house to Sir William St Quintin, 3<sup>rd</sup> baronet of Scampston Hall. In 1716, the elder Sir William became MP for Old Sarum (with Robert Pitt) having been MP for Yorkshire 1708–10, having been succeeded as MP for Malton by his son. He returned as Malton's MP in 1722, until his death in 1724.

Throughout these years, the 4<sup>th</sup> Baronet remained an avid race horse–breeder and much engaged at Langton Wold Racecourse. The younger Strickland remained MP for Malton until 1715, before representing Carlisle until 1722 and Scarborough 1722–1735. Notably, having sold his share of the Eure estate to Wentworth in 1713, William Palmes ceased to be Strickland’s fellow MP for Malton in the same year, replaced by Thomas Watson–Wentworth.

In 1718, the younger Strickland leased a ‘dovecoat and garth’ further down Yorkersgate and through which Water Lane would run to serve the quays of the Navigation after 1725 and which ground is behind the current George Hotel (142 on the Terrier map below), if we accept that the James Sollitt identified as bounding this garth to the W in 1718 continues to occupy the same house in 1732 (number 139), which is a freehold property. Plot 138 is identified as ‘Mr Elstob’s [freehold] House and Yard’ and is a high status house with dutch gables on the current site of NatWest Bank.

Plot 134, the plot between York House and the Hunting Lodge is described as freehold and as ‘Mr Cartwright’s House and Garden’. 133, now the Talbot Hotel, is not listed in the Terrier at all and York House has no number. Sir William Strickland still owns both as also the ‘garth’ across the road that was to become the Talbot Yard and which was part of the 1739 sale to Wentworth by Cholmley and other executors of Sir William’s Malton Estate.

In 1732, Strickland is listed in the Terrier as renting a ‘coach–house and yard’ (137). The ‘coach–house is now Tui’s restaurant; the yard ran to the river and became William Bielby’s coal yard and staithe on the navigation, a freehold before 1810, at least.



In 1721, Sir William leased from Wentworth land to form the upper garden terrace to the W of the former Hebblethwaite house, as well as extending the lower gardens of York House W, building new walls to encapsulate these. In 1723, he further leased a 'meadow or pasture' called Browse Close beyond the new garden boundary and which ground included the 'well or spaw'. Browse Close was specifically listed as belonging to Lord Evers in the 1593 Terrier of Malton held at NYCRO, and will have formed part of the Old Malton Estate sold to the Wentworth's in 1713.

In later years, Brows Close became the Spa Gardens and site of Longster's Nursery. In 1721, the high Hildenley limestone wall represented the new boundary between formal gardens and the meadow around the spa, which Strickland and Wentworth had agreed would be made available to the general population of Malton (see below); later between formal and less formal gardens. In 2012, this wall, which had been in a slowly eroding, but in a structurally intact condition over much of its length, and missing in places, was stripped of its upper several feet and reduced to the scale of a farm wall, reading as much the same because the land to either side has now reverted to pasture and meadow. In its eroded condition, it had represented an aesthetically pleasing punctuation within the landscape, whilst retaining its sense as a high status garden wall. The conservation options might have been anticipated to have been consolidation in situ or restitution of its original height, using like-for-like materials. The removal of its upper level may not be reasonably interpreted as a conservation option at all, rather as a dilution of its significance. The irreplaceable Hildenley limestone removed was mostly thrown into skips and dumped, though stonemason John Greenan managed to insist upon rescuing some of it.



NYCRO ZPB I 7/14

Hugh Cholmley et al to Wentworth Earl Malton, cancelling 31 and 500 year leases granted by Wentworth to William Strickland 1721 and 1723.

Excerpt:

And whereas by indenture of demise bearing date the third day of November which was in the year of our lord one thousand seven hundred and twenty one and made or mentioned to be made between the said Thomas Earl of Malton by the name of Thomas Wentworth of Wentworth Woodhouse in the County of York Esq of the one part and the said Sir William Strickland by the name of William Strickland of Boynton in the said county Esq of the other part the said Earl for his considerations herein mentioned did demise, grant and to farm let unto the said Sir William Strickland, his executors administrators and assigns all that piece or parcel of ground situate, lieing and being it upon the wast in the parish of Old Malton whereon a ruinous barn then stood in the tenure or occupation of Christopher Anderson as also four yards in breadth up from the river bank to a little stable then in and standing and being at the foot of the hill adjoining to the gardens belonging to the said William Strickland. The said ground to be taken from the Browse Close and inclosed to the said gardens by a brick or stone wall and likewise ten yards in breadth at the North

west corner of the said garden to be inclosed and taken from the wast in the highroad or street and to terminate at the corner of the then dwelling house of the said William Strickland against which the garden wall then stood as also the lower part of the garth situate upon the wast in the parish of Old Malton aforesaid then in the tenure or occupation of the aforesaid Christopher Anderson and the little garth thereunto adjoining then in the tenure or occupation of George Stibbings with all and singular the appurtenances unto the said demised premises belonging or in anywise appertaining to hold unto the said William Strickland, his executors, administrators and assigns from the Feast of the Annunciation of the Blessed Virgin Mary then next ensuing for five hundred years at and under the yearly rent of one pound and fifteen shillings payable by equal portions on the Feast of Saint Michael the Archangel and the Annunciation of the Blessed Virgin Mary in each year.

“And whereas by one other indenture of demise bearing the date on or about the first day of June which was in the year of our Lord one thousand seven hundred and twenty-three [1723] and made or mentioned to be made between the said Earl of Malton by the name of Thomas Wentworth of Wentworth Woodhouse....on the one part and the said Sir William Strickland Baronet....of the other part, the said Earl for the consideracion therein mentioned did demise, grant and to farm let unto the said William Strickland etc..all that close of meadow or pasture ground called the Browse Close situate lieing and being in the parish of Old Malton... then in the tenure or occupation of the said William Strickland, assigns or under-tenants and also all those stables or buildings in New Malton...and the yard or garth thereunto belonging then likewise in the tenure or occupation of the said William Strickland, his assigns or undertenants together with all ways, waters, watercourses, profits, commodities, appurtenances whatsoever unto the said demised premises or any part or parcel thereof belonging or in anywise appertaining (except as therein is excepted) to hold the same unto the said William Strickland his executors, etc, from the Feast Day of the Annunciation of the Blessed Virgin Mary for 31 years at and under the yearly rent of twelve pounds payable by equal portions (at Michaelmas and Lady Day)...

A full version of this 31-year lease survives. Its purpose was to formally take into the garden of York House the ‘meadow or pasture’ beyond the boundary formed by the 1721 lease and which pasture contained the ‘spa or well’. This aspect is not

mentioned in the sale of this lease to Wentworth in 1739. Importantly again, this meadow or pasture is in the tenure or occupation of Strickland. The terms of the lease especially provide for guaranteeing unrestricted access to the spa by 'all and every person and persons whatsoever' to 'walk and to drink'. This may explain Strickland's motive in building the wall to the east of the spa after 1721, preserving privacy within the garden itself whilst allowing full and free access for the people of Malton to the spa and its waters. It may also be noted that even in 1739, the indenture states 'except the excepted' and this refers to the condition made explicit in the 1723 indenture:

"except and reserved never the loss out of this present demise the well or spaw in the said close with free ingress, egress and regress to and from the same for all and every person and persons whatsoever and full and free liberty to fetch the water from there or to walk and drink the same thereof..."

These parts of the 1739 indenture strongly suggest a number of things: even before 1721, Strickland had begun to extend and expand his walled and more inward-looking garden at York House into the wider landscape to its W, probably at this time removing the lower end of the W boundary wall that ran upon the line of the medieval town wall, which may previously only have been pierced by a gateway to allow access to the Spa. In this, he was responding to changing garden fashion and sensibilities. As late as 1715, however, the former Hebblethwaite house was leased to another – Sir William continuing to use York House, the gardens to the S of the former being part of the garden of York House. Signing a 500-year lease in 1723, to create the upper terrace of the later Talbot Hotel, Strickland may be still expanding the garden of York House, or perhaps beginning to create another garden for the Hebblethwaite house itself. He died a year later in 1724 and it may be after this that his son makes the Talbot building his residence, York House being increasingly old-fashioned to an individual who would soon employ Lord Burlington and William Kent to aggrandise and enhance Boynton Hall and who may be considered enamoured of the ascendant Palladian style, quite distinct from the Baroque classicism of which the garden front of York House remains a rarely surviving example upon so relatively compact a gentry townhouse and with its garden intact until 2010.

Much of the interior aggrandisement of the former Hebblethwaite house, therefore, will have been carried out to the 4<sup>th</sup> baronet's instruction between 1724 and 1735,

within the strictures of Palladianism, of which the regular facades of the Talbot today may be seen as understated and largely vernacular expression.

For all that it breathes a similar essence to his home at Boynton, York House will have seemed somewhat mean to an individual so prominent a member of Walpole's Government, and Hebblethwaite's 'great mansion' next door, with gardens all around already developed by his father will have offered him perfect opportunity to expand and to display his national status.

These indentures also make new sense of an entry in the Agent's memo book found by Colin Briden:

*August 3<sup>rd</sup> 1739*

*Memo.dum: That James Gibb the gardener to take charge of the New Garden late Strickland's and make the best he can out of it for himself, he keeping the Walks cutt and the Hedges and Wall Trees in clipping and find all Kitchen Stuff for my Lord's use as usuall, and my Lord to be at no expence whatsoever and to call in all the Garden Keys except Mr Preston's and his present wages to be confirmed until Lady Day next, and also to make what advantage he can for himself of the Standard Trees in the Old Garden.*

From Fitzwilliam Estate Agent's Memo Book

NYCRO ZPB III 5/2/1

This was initially interpreted (by Copsey and Briden) as referring to York House, with the garden of this being the old garden and the garden of the Talbot, the new. This interpretation may now be refined – the New Garden is the upper terrace to the W of the Talbot; the 'Old Garden' the lower terrace as a whole, which was marginally extended westward in 1723, with the whole of Browse Close having been added already in 1721.

Other entries found by Briden, and his initial interpretation of them are confirmed by the indentures and would suggest that William Strickland had been improving the building at the time of his death in 1735 and that these works had, perhaps been suspended to be reactivated by Wentworth in 1739. Preston was the Agent at this time. This would lend weight to the notion that the former hunting lodge became the younger Strickland's residence after the death of his father in 1725, displacing York House.



“On the same date, August 3<sup>rd</sup>, Mrs Marwood was paid off by Mr Preston after '*looking at (ie caretaking) Stricklands house*'. Elsewhere the Talbot Hotel appears as '*the late Stricklands Mansion House*'; there can be little doubt that by 1739 it had been taken over by the Watson Wentworth family.

“On April 22<sup>nd</sup> 1742 Mr Preston agreed with Mr Walter Baldock to finish the 'two great rooms in late Stricklands' Mansion House'. This sounds like the first extension to the west range of the Talbot Hotel. Oddly the building in that name appears nowhere, that I could see, in the book. On the same date they agree the price for 'Mr Baldock's new stables'.” (Briden pers comm. 15.04.2011).

The 1739 indenture between the Strickland executors and Wentworth is unusually long and involved, however, and explains clearly the circumstances of the sale of the Strickland estate in New Malton: overwhelming debt.

Debts 'due and owing' at this time had been calculated as being £18,484, 19s, 4 ½ d – around £31 million today, using the average earnings index. His wife Catherine and mother Elizabeth were also owed.

The Malton estate – and all other property not specifically devised to others (his son and wife, his mother) and which included Boynton Hall and North Burton, were the subject of a court ruling that they be granted to his executors 'towards payment of the debts owing.'

It had been “further ordered and decreed that the said testators house at Malton in the pleadings mentioned, together with the household goods and furniture then standing and being therein should be sold before the deputy remembrance of that court to the best purchaser or purchasers that could be got for the same.”

One William Burk was reported to be the “best purchaser...of several parts of the said estate lying at Malton and for the tyths of Eastrop Park and other the premises in the particular thereunto annexed, mentioned (to wit) the capital mansion house of the late Sir William Strickland, bt, deceased with the gardens thereunto belonging well planted with fruit trees, the furniture in the said house which was to be sold with it and had been lately appraised at two hundred and thirty–four pounds four shillings and eight pence; a large piece of ground opposite to the said house on the other side of the way enclosed with a handsome wall in front wherein was a cistern

and well; a small garth on the west side then in the possession of Walter Baldock; the following tenements in Malton held by letters patent under the Exchequer seal granted to Sir William the twenty-third day of January in the second year King George I [1716] for three lives (two whereof were then in being): at three pounds per annum rent (to wit) a tenement in the possession of Mrs Smith at nine pounds per annum...another in the possession of Thomas Allanby at four pounds per annum; another in the possession of George Tindall at one pound per annum; a close in the parish of Old Malton called the Browse and a certayne garth in New Malton wherein are stables for horses and a good brewhouse erected and fitted up with coppers, coolers and all necessarys held by lease for 31 years of which there are 16 years yet to come, at twelve pounds per annum rent payable to Lord Malton; the tyth of corn and hay in Eastrop Park within the parish of Appleton-in-the-street, let to Mr George Hebden at the yearly rent of £8, for the sum of one thousand eight hundred and fifty pounds.”

The sale of the Malton estate of the Stricklands, therefore, paid off only 10% of the debt owing.

The house for which Mrs [Elizabeth] Smith is paying £9 pa was on the N side of Yorkersgate, near Butcher corner, about where the Gate public house stands now.

All the indications are that Wentworth immediately set about creating the New Talbot Hotel out of Strickland's 'capital message', a task made all the easier, perhaps, for its coming fully furnished to a presumably high standard and fully equipped for the entertainment of higher society.

As early as 1686, however, Malton had been one of the premier destinations in Yorkshire on the evidence of 'guest beds' and stabling available in the town. York had 483 guest beds in this year; Malton, 195 (only 5 fewer than Hull and more than Sheffield, Halifax and all major towns other than Doncaster, Wakefield, Hull and York). Only York and Wakefield had more stabling than Malton: York had accommodation for 800 horses; Wakefield for 543 and Malton for 524 (Rushton 2003 241).



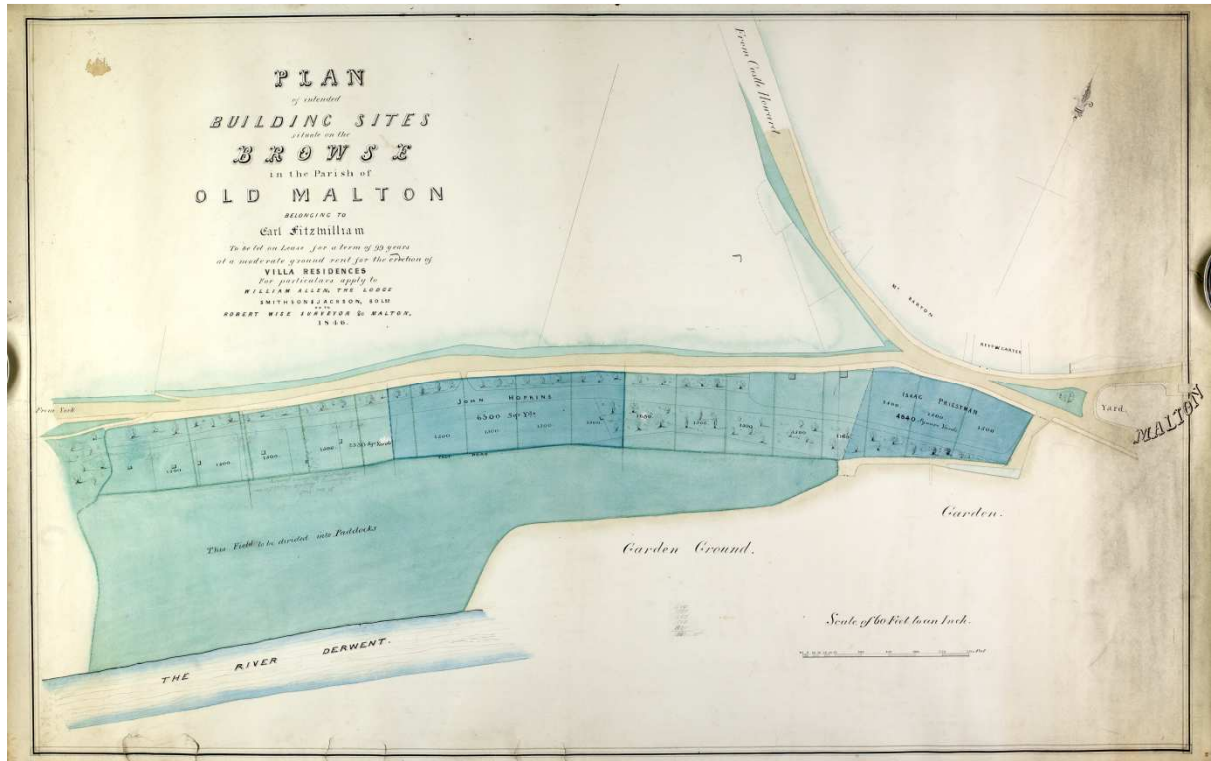
*Settrington's painting of 1728 shows the lay-out of the lower garden and the new wall proposed in the 1721 indenture, as well as the small stable described as being against the bank. Also, a small building to the W of the 'capital messuage' which may be in Walter Baldock's garth. The new wall around the 'large piece of ground' (Lathesgarth in 1599) across the road is also clearly shown, as is the same large piece of ground upon Dickinson's 1730 Terrier, below. Not only the Talbot Stable Yard, but also the Mount Hotel and several houses at the E of the site now occupy this site and that this would seem to have been always associated with the capital messuage. 43 Yorkersgate, newly fitted out as a brewhouse in 1739, is also clearly shown, as are the tree-filled riverside gardens all along the the S side of Yorkersgate (original painting and terrier map owned by Fitzwilliam Estate).*



A picture of Yorkersgate in the later 17<sup>th</sup> and early 18<sup>th</sup> centuries emerges as being of high status gentry town-houses and stables sited for their riverside location, their southern aspect (so conducive to the creation of fine, and private gardens) and their prospect of the Wolds, from where most of these individuals hailed or had estates. Nascent merchant activity, which accelerated after 1725 and became focused upon the river navigation slowly eroded this landscape for the most part – within 100 years, the houses along Yorkersgate belonged to or were leased by corn and coal and timber merchants, and the burgage plots filled with warehousing. Owston’s warehouse is one of the few surviving buildings of this period, though extensive and robust quaysides from 1725 remain. The Stricklands, as the Hebblethwaites before them, were an intimate part of this trend for important landowners in the hinterland of Malton to build, hold and lease between one another large townhouses with riverside gardens or garths. Strickland was one of the first sponsors of improvement of the navigation on the Derwent also, of course, and was a signatory of the first petition to Parliament in 1701, but was careful – along with Wentworth – to guarantee in leases signed between them in 1721 and 1723, that no ‘comon warehouses’ would be built within the gardens of York House or within those which would become the gardens of the Talbot Hotel.

Importantly then, and by design, York House and the ‘great mansion’ on the site of the Talbot Hotel survived this commercial development of the riverside, the gardens around both continuing to reflect not only the preoccupations of Elizabethan gardening style, and then the water-bounded privacies of the late 17<sup>th</sup>C and William and Mary but also, because of its location at the edge of the borough, the

garden of York House was able to expand to embrace the broader horizons of 18<sup>th</sup> century garden philosophy and style and to continue to evolve through the 19<sup>th</sup>C with the involvement of Peter Atkinson and his new Spa building within the ‘Spa Gardens’. By the middle of the 19<sup>th</sup>C, the meadow and pasture that William Strickland had drawn into the garden proper in 1721 had become the home of Longsters Nursery, maintaining the gardens’ link with ever-evolving garden and landscape history.



NYCRO ZPB (M) 1-13 (2).

When the Earl Fitzwilliam sought to build a 19<sup>th</sup>C version of the situation that had existed in Yorkersgate in the 17<sup>th</sup> and 18<sup>th</sup> centuries, now further west and upon York Road, with villas upon the Brows which remain today, John Gibson’s plan shows clearly that the Browse Close remained as garden at this time and that the paddocks were to be accessed via the lane down from Yorkersgate that begins immediately W of the upper terrace boundary created in 1723.

The introduction of a road into this precious and uniquely intact cultural landscape in 2012, therefore, may be seen to tip it off its axis and to be uniquely damaging in this, as well as in its introduction of unpredictable consequences and effects for and upon this landscape that will quickly become irreversible. If York House and its gardens might be characterised as a delicate bubble of uniquely intact authenticity



and cultural history, then the newly built service road (and the redrawing of the geometry of this landscape of which it is a central component without vision or real understanding of its past) might be seen as the pin that has punctured its gossamer shell, allowing the air to escape, beginning its inevitable deflation and the decline of its very special character and significance.

The possibly 16thC terrace garden walls to the south of the Cloisters – added by Peter Atkinson circa 1808 – which preserved the gentle incline of the early garden of York House – were stripped out in 2011 and replaced with high bastion-like brick walls that aped an unfortunate, but entirely legible, Victorian evolution of the terrace walls to the immediate south of York House itself. The stone steps to the south of York House were installed when this early topography survived. New steps of similar design were inserted between the newly constructed bastion walls – aping in one go 250 years of evolution, the worst kind of pastiche, perhaps. The swan-neck shapes and copings of the stone wall that marks the original westward extent of York House were not reinstated, though these are clear not only in an 1827 painting of the hotel, but in 1960s photographs used in publicity for the revamped hotel in 2011. Indeed, the uppermost section of this wall was demolished and removed along with the 1886 toilet block which had been built against it.

Grand pastiche gate piers are planned for the Eastern ‘service entrance’ of the hotel, into the punctured garden of York House.

Fractured, fragmented and divorced from its history, no amount of pastichery may be expected to bring back the power of this special place, now sadly drained away.



NC 04.04.2012

Appendix:

Excerpts from 'An Abstract of the Deeds Relating to Mr Strickland's Title to his Houses in New Malton', sold to Thomas Wentworth after 1718. NYCRO ZPB I 3/10

**Thomas Duckett's House in Newbegin:**

Robert Ringrose of New Malton, yeoman, by deed poll with livery and seizing indorsed bearing date 24<sup>th</sup> November 1591, grants to Beatrice Ringrose, daughter of Thomas Ringrose of the same, butcher, and her having all that cottage and garden with appurtenances in a street called Newbiggings in New Malton then in the said Robert Ringrose's possession to hold for her and having forever.

Christopher Usher by deed of feoffment with livery and seisin indorsed, 11<sup>th</sup> October 1623 in consideration of a certain sum of money grants the demises to Thomas Wood, yeoman of New Malton and his living.

Thomas Wood grants to Christopher Dynning of New Malton, merchant and his living, July 1634

John Reed of the city of York grants to Timothy Gold, 1712

Gold grants to Sir William Strickland 1718.

**Unnamed House, Yorkersgate:**

13<sup>th</sup> January 1597, James Fawcett of New Malton grants to his son Marmaduke " all that his burgage or tenement and little garden thereabouts adjoining, with the appurtenances, in Yorkersgate in New Malton" occupied by Jane Rutter, widow.

His widow Isabel grants to Francis Chambers, 8<sup>th</sup> King James (1611).

This is added to with small parcels from Robert Freeman to Chambers - a garden and 'Smithie's House'

1631: Chambers wills to his wife Elizabeth this same, 'with the chamber, parlour and little garth as it was then divided from his shop and stable adjoining upon the same' and after her to his youngest son Thomas; his shop, and the chamber over it, 'the little garth his coals lay in' and the stable adjoining are willed to his eldest son, William.

1647: William Chambers grants the stable and appurtenances to his brother Francis and later, in 1650, the Smithie's House also.

1652: Francis Chambers of Scarborough, blacksmith, son of Francis, grants to Jane, his wife and 'heirs of her body' the house left him by his father.

1711: Thomas Chambers of Scarborough, 'master and mariner' mortgages two houses, one in the tenure of John Haines and the other, in tenure of 'Robert Sowerby and William Hilsenage and now of Francis Atkinson, to John Rochester for £60.

1713: John Rochester and Thomas Chambers and Alice, his wife lease same to Thomas Langley Esq and his heirs, in consideration of £60 paid to Rochester and £52 - 3 - 0 paid to Chambers.

1718: 16<sup>th</sup> April. Thomas Langley, by deed 'declares that his name was upon the conveyance last mentioned in trust only for William Strickland esq.'

Further, in 1712, Josiah Chambers of Scarborough, mariner, and his wife, for £20, 'grant unto Edmund Avon gent and his heirs, all that burgage cottage or tenement in Yorkhousegate then in the occupation of Nicholas Somerson.

1718: Avon declares that he had this in trust for Strickland.

*This is quite likely the site of the New Globe, which the Rochesters continued to lease and which was occupied by 'widow Rochester' at the time of the 1732 Terrier.*

#### **House in Appletongate, Thomas Harwood's House:**

1688: Arthur Cayley of Hackness Esq sells house to Thomas Harwood for £90.

1702: Harwood leases same to William Pierson, gent, for £50

1708: Harwood sells same to Christopher Percehay Esq.

1717: Harwood confirms that Percehay had left same to William Strickland. £120 remained owing on the mortgage.

#### **William Hoggard's House:**

1707: Hoggard acquires 'frontstead with a garth or garden thereunto belonging' - Wardle House previously on the site had burned down.



1709: Hoggard grants to Strickland for £10, having built a house on this frontstead.

#### **Another House: The Fish-house.**

1631: John Mason of City of York, merchant grants to Cuthbert Wilson of New Malton, tanner, a house in Castlegate and garen behind, 'comonly called Dovecoat Garth'.

1636: Cuthbert Wilson, in consideration of his intended marriage to Bridget Robinson grants to her father William and Robert Wilson, son and heir of Cuthbert and his heirs 'all that one burgage or tenement...called the Fish-house and one close or garth on the backside.

1670: Stephen Wilson grants same to Hancock Sinclair, gent and Andrew Metcalfe

1715: Stephen and wife Roberta Wilson grant to Christopher Dickinson for £160

1716: Dickinson declares that he bought it in trust for Sir William Strickland, baronet.

#### **House in Appletongate (Wheelgate):**

1597: John Eure, gent, by deeds of feoffment dated the 16<sup>th</sup> February in the 39<sup>th</sup> of Queen Elizabeth, for £15, grants unto Lyonell Clyfford Cowper and his heirs a burgage house or tenement and garden in Appletongate then in the possession of the said Lyonell Clifford.

1668: for £4 10s Mark Catterton grants to George Clifford Cutler and parcel of ground at the lower end of his garth belonging to his house in Wheelgate containing 12 yards in length and 5 yards  $\frac{3}{4}$  and 1 inch in breadth.

1697: George Clifford and son Thomas sell all the above to Nicholas Manners for £50. This sale confirmed in 1700.

1712: Nicholas Manners sells same to James Hustler

1713: Hustler declares that he bought in trust for William Strickland.

#### **Houses in Castlegate**

1712: Ralph Lacy "grants, bargains...unto William Strickland Esq, his heirs and assigns the messuages, burgage houses or tenements in New Malton then in the

several tenures or occupations of John Bartindale, John Freer, John Hardwick, John Haines, John Pindar, Thomas Nighe, John Watson, Cuthbert Wilson, Francis Barton, Jane Tennant, John West, Richard Harrison, Elenor Stockhill and Mary Bryan, to hold from the making thereof and during the natural life of Mary Lacy”

(a note by agent here says ‘two houses in Butcher Nook’).

1709: Strickland acquires five houses in Castlegate, near Malton Bridge, occupied by Robert Soulby, George Hood, Ralph Harrison, Richard Harrison and ? Woolbanke from William Long of ‘Southwarke in the County of Surrey.’